

Plaintiff's Name Sean Michael PeltonPrisoner No. 38569Institutional Address Amador CountyJail 700 Court StreetJackson, Ca.**FILED**

AUG 31 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA**UNITED STATES DISTRICT COURT****NORTHERN DISTRICT OF CALIFORNIA**Sean Michael Pelton

(Enter your full name)

v.

Richard AmadorScott CampbellCity of South San Francisco

(Enter the full name(s) of all defendants in this action)

Case No. 22-2027JCS

(Provided by the clerk upon filing)

**COMPLAINT BY A PRISONER
UNDER THE CIVIL RIGHTS ACT,
42 U.S.C. § 1983****FIRST AM. COMPL.****I. Exhaustion of Administrative Remedies.***You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.*A. Place of present confinement Amador County JailB. Is there a grievance procedure in this institution? ☐ YES ☒ NOC. If so, did you present the facts in your complaint for review through the grievance procedure?
☐ YES ☒ NO

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: _____

2. First formal level: _____

3. Second formal level: _____

4. Third formal level: _____

E. Is the last level to which you appealed the highest level of appeal available to you?

☐ YES

☐ NO

F. If you did not present your claim for review through the grievance procedure, explain why.

not a grievable issue

II. Parties.

A. If there are additional plaintiffs besides you, write their name(s) and present address(es).

B. For each defendant, provide full name, official position and place of employment.

Richard Amador; Detective at South San Francisco Police

Scott Campbell; South San Francisco Police Chief

City of South San Francisco

III. Statement of Claim.

State briefly the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

On February 09, 2018, I was arrested by Detective Richard
Amador at my probation office in West Sacramento for a theft
which occurred in South San Francisco on January, 2018.
During the arrest and subsequent search of my hotel, Amador

recovered 3 cell phones and was given consent to 'check' one of them, a Motorola Z play, for anything illegal. After Amador transported me to the San Mateo County jail and completed the pre-bookings process, he confirmed the Google account I gave him as Seanpelton7@gmail.com, and turned me over to jail staff. A short while later, Amador came into the jail and told me he had found a different account in my phone of Seanpelton9@gmail.com, and was keeping the Motorola Z play phone because he was not getting reception at the jail and wasn't going to be able to check the account's contents without that reception. I responded by telling him that consent to 'check' my phone did not include any online accounts that needed to be logged into. About 30 minutes later while speaking to my girlfriend, Samantha Rubio, who was an authorized user on the Seanpelton9 account explained that she receiving multiple security alert messages on her phone regarding unauthorized log-in attempts from a computer in South San Francisco and repeatedly denied access for those attempts. At this point, Amador Police report states that after leaving the jail, he used my Google Maps application to search location information relevant to his crime in South San Francisco as well as (see Attachment A)

IV. Relief.

Your complaint must include a request for specific relief. State briefly exactly what you want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

I demand a trial and request \$10,000,000 total for the multiple arrests resulting in dismissals from the assumptions Amador made and communicated to other Agencies, the embarrassment and humiliation of those arrests and having my location history posted online. The total loss of my account and the constant stress and anxiety from expecting to be arrested for crimes I did not commit

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 08-28-2022

Date

Sean Michael Pelton

Signature of Plaintiff